P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
(070) 3 40 20 40
FAX (070) 3 40 30 16

Europäisches Patentamt	European Patent Office	Office européen des brevets
Generaldirektion 1	Directorate General 1	Direction générale 1

AstraZeneca AB
151 85 Södertälje
SUEDE

EPO Customer Services
Tel.: +31 (0)70 340 45 00

Date
22.02.06

Reference	Application No./Patent No.
100997-1X EP	04743176.2 - 2404 PCT/GB2004002828

Applicant/Proprietor
AstraZeneca AB

Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 05.04.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1642127.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section

P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
☎ (070) 3 40 20 40
FAX (070) 3 40 30 16

Europäisches Patentamt	European Patent Office	Office européen des brevets
Generaldirektion 1	Directorate General 1	Direction générale 1

AstraZeneca AB
151 85 Södertälje
SUEDE

EPO Customer Services
Tel.: +31 (0)70 340 45 00

Date
13-02-2006

Reference	Application No./Patent No.
100997-1X EP	04743176.2 - 2404 PCT/GB2004002828

Applicant/Proprietor
AstraZeneca AB

Communication pursuant to Rules 109 and 110 EPC

(1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

--2/

Registered letter
EPO Form 1226 01.02 EUCL

(2) Claims fees under Rule 110 EPC

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

☐ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).

☑ All necessary fees will be/have been debited automatically according to the automatic debit order.

☐ The claims fees due for the claims ..... to ..... were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

The fee for the eleventh and each subsequent claim is EUR 40,00.

Receiving Section

Europäisches Patentamt • European Patent Office • Office européen des brevets

To the European Patent Office

Entry into the European phase (EPO as designated or elected Office)

European application number	EP04743176.2
PCT application number	PCT/GB2004/002828
PCT publication number	WO2005003765
Applicant's or representative's reference	100997-1X EP
1. Applicant	
Particulars of the applicant(s) are contained in the international publication or were recorded by the International Bureau subsequent to the international publication.	☑
Changes which have not yet been recorded by the International Bureau are set out here:	☐
Address for correspondence	
2. Representative 1	
This is the representative who will be listed in the Register of European Patents and to whom notifications will be made	
Name	Global Intellectual Property AstraZeneca AB
Registration No	4695960.7
Address of place of business	 Södertälje, SE-151 85 Sweden
Telephone	+46 8 553 260 00
Fax	+46 8 553 288 20
e-mail	patents@astrazeneca.com
Any additional representative(s) is/are listed here:	☐
3. General Authorisation:	
An individual authorisation is attached.	☐
A general authorisation has been registered under No:	☑ 19489
A general authorisation has been filed, but not yet registered.	☐
The authorisation filed with the EPO as PCT receiving Office expressly includes the European phase.	☐
4. Request for examination	
Examination of the application under Art. 94 EPC is hereby requested. The examination fee is being (has been, will be) paid.	☑
Request for examination in an admissible non-EPO language:	☑ Härmed begärs prövning av patentansökan enligt art. 94.
5. Copies	
One or more additional sets of copies of the documents cited in the supplementary European search report are hereby requested.	☐
Number of additional sets of copies	
6. Documents intended for proceedings before the EPO	
6.1 Proceedings before the EPO as designated Office (PCT I) are to be based on the following documents:	
the application documents published by the International Bureau (with all	☐

claims, description and drawings), where applicable with amended claims under Art. 19 PCT	
unless replaced by the amendments attached.	☐
Where necessary, clarifications should be attached as `Other Documents`	
6.2 Proceedings before the EPO as elected Office (PCT II) are to be based on the following documents:	
the documents on which the international preliminary examination report is based, including any annexes	☑
unless replaced by the amendments attached.	☐
Where necessary, clarifications should be attached as `Other Documents`	
If the EPO as International Preliminary Examining Authority has been supplied with test reports, these may be used as the basis of proceedings before the EPO.	☐
7. Translations	
Translations in one of the official languages of the EPO (English, French, German) are attached as crossed below:	☐
* In proceedings before the EPO as designated or elected Office (PCT I + II):	
Translation of the international application (description, claims, any text in the drawings) as originally filed, of the abstract as published and of any indication under Rule 13bis.3 and 13bis.4 PCT regarding biological material	☐
Translation of the priority application(s)	☐
It is hereby declared that the international application as originally filed is a complete translation of the previous application (Rule 38(5) EPC)	☐
* In addition, in proceedings before the EPO as designated Office (PCT I):	
Translation of amended claims and any statement under Art. 19 PCT, if the claims as amended are to form the basis for the proceedings before the EPO (see Section 6).	☐
* In addition, in proceedings before the EPO as elected office (PCT II):	
Translation of annexes to the international preliminary examination report	☐
8. Biological material	
The invention relates to and/or uses biological material deposited under Rule 28 EPC.	☐
The particulars referred to in Rule 28(1)(c) EPC (if not yet known, the depository institution and the identification reference(s)) [number, symbols, etc.] of the depositor) are given in the international publication or in the translation submitted under Section 7 on:	☐
page(s) / line(s)	
A copy of the receipt(s) of deposit issued by the depositary institution	
is attached	☐
will be filed at a later date	☐
A waiver of the right to an undertaking from the requester pursuant to Rule 28(3) EPC is attached.	☐
9. Nucleotide and amino acid sequences	
The items required under Rules 5.2 and 13ter PCT and Rule 111(3) EPC have already been furnished to the EPO.	☐
The sequence listing as part of the description is attached in PDF format.	☐
The sequence listing does not include matter that goes beyond the content of the application as filed.	☐
In addition, the sequence listing data is attached in computer-readable form in accordance with WIPO Standard 25.	☐
The sequence listing data in computer-readable form in accordance with WIPO Standard 25 is identical to the sequence listing in PDF format.	☐
10. Designation fees	
10.1 It is currently intended to pay seven times the amount of the designation fee. The designation fees for all the EPC contracting states designated in the international application are thereby deemed to have been paid (Art. 2 No. 3	☑

RFees).

AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PL PT RO SE SI SK TR

10.2 It is currently intended to pay fewer than seven designation fees for the following EPC contracting states designated in the international application: ☐

10.3 It is requested that no communication under Rules 85a(1) or 69(1) need be notified in respect of the contracting states not indicated. If an automatic debit order has been issued, the EPO is authorised, on expiry of the basic period under Article 79(2), to debit seven times the amount of the designation fee. If less than seven states are indicated, the EPO shall debit designation fees only for those states, unless it is instructed to do otherwise before expiry of the basic period. ☑

11. Extension of the European patent

This application is also considered as being a request for extension to all the non-contracting states to the EPC designated in the international application with which "extension agreements" were in force on the date of filing the international application. However, the extension only takes effect if the prescribed extension fee is paid. ☑

It is currently intended to pay the extension fee for the following states:

12. List of enclosed documents

	Description of document	Original file name	Assigned file name

13. Automatic debit order ☑

Currency: EUR

The European Patent Office is hereby authorised, under the Arrangements for the automatic debiting procedure, to debit from the deposit account any fees and costs falling due.

Deposit account number: 28100023

Account holder: AstraZeneca AB

14. Reimbursements (if any) should be made to the following EPO deposit account: ☑

Number and account holder: AstraZeneca AB, 28100023

15. Fees

		Factor applied	Fee schedule	Amount to be paid
15-1	005 Designation fee	7	75.00	525.00
15-2	006 Examination fee	0	1 430.00	0.00
15-3	015 Claims fee	15	40.00	600.00
15-4	020 Basic national fee for an international application	1	90.00	90.00
	Total:		EUR	1 215.00

16. Annotations

16-1. Note (for EPO) (EP Phase)

Examination Fee (Helen Noble; 09.12.2005)

It is intended to pay 40% of the examination fee. However, due to a bug in the system the fee sheet shows 0.00. Please deduct the necessary fee from our deposit account 2810 0023.

17. Signature(s) of applicant(s) or representative

Place:	United Kingdom
Date:	22.December 2005
Signed by:	UK, AstraZeneca AB, H. Noble 6862
Capacity:	(Employee of AstraZeneca AB)

Europäisches Patentamt | European Patent Office | Office européen des brevets

Acknowledgement of receipt

We hereby acknowledge receipt of the form for entry into the European phase (EPO as designated or elected Office) as follows:

Submission number	86440	
PCT application number	PCT/GB2004/002828	
Date of receipt	22 December 2005	
Your reference	100997-1X EP	
Applicant		
Country		
Documents submitted	application-body.xml	ep-euro-pct.xml
	epf1200.pdf	package-data.xml
Submitted by	CN=H. Noble 6862,O=AstraZeneca AB,C=UK	
Method of submission	Online	
Date and time receipt generated	22 December 2005, 15:38:20	
Digest	5E:91:41:0D:6C:76:7F:EE:6B:A0:51:78:02:ED:70:CF:AE:3A:82:24	

/European Patent Office/

P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
(070) 3 40 20 40
FAX (070) 3 40 30 16

Europäisches Patentamt	European Patent Office	Office européen des brevets
Generaldirektion 1	Directorate General 1	Direction générale 1

ASTRAZENECA AB
Global Intellectual Property
S-151 85 SÐdert¿lje
SUEDE

EPO Customer Services
Tel.: +31 (0)70 340 45 00

Date
18.11.05

Reference	Application No./Patent No.
	04743176.2 - 2404 PCT/GB2004002828

Applicant/Proprietor
AstraZeneca AB

Entry into the European phase before the European Patent Office

These notes describe the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read them carefully: failure to take the necessary action in time can lead to your application being deemed withdrawn.

1. The above-mentioned international patent application has been given European application No. **04743176.2**.

2. Applicants **without** a residence or their principal place of business in an EPC contracting state may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date (see also point 6 below).

   During the European phase before the EPO as designated or elected Office, however, such applicants must be represented by a professional representative (Arts. 133(2) and 134(1), (7) EPC).

   Procedural acts performed after expiry of the 31st month by a professional representative who acted during the international phase but is not authorised to act before the EPO have no legal effect and therefore lead to loss of rights.

   Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise, the EPO has to send all communications direct to the applicant.

3. Applicants **with** a residence or their principal place of business in an EPC contracting state are not obliged to appoint, for the European phase before the EPO as designated or elected Office, a professional representative authorised to act before the EPO.
   However, in view of the complexity of the procedure it is recommended that they do so.

4. Applicants and professional representatives are also strongly advised to initiate the European phase using EPO Form 1200 (available free of charge from the EPO). This however is not compulsory.

5. **To enter the European phase before the EPO**, the following acts must be performed.
(N.B.: Failure validly to do so will entail loss of rights or other adverse legal consequences.)

5.1 If the EPO is acting as **designated** or **elected** Office (Arts. 22(1)(3) and 39(1) PCT respectively), applicants must, within 31 months from the date of filing or (where applicable) the earliest priority date:

a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such a language (Art. 22(1) PCT and Rule 107(1)(a) EPC).
If the translation is not filed in time, the international application is deemed withdrawn before the EPO (Rule 108(1) EPC).
This loss of rights is deemed not to have occurred if the translation is then filed within a two-month grace period as from notification of an EPO communication, provided a surcharge is paid at the same time (Rule 108(3) EPC).

b) Pay the national basic fee (EUR 160,00) and, where a supplementary European search report has to be drawn up, the search fee (EUR 960,00 ; Rule 107(1)(c) and (e) EPC).

c) If the time limit under Article 79(2) EPC expires before the 31-month time limit, pay the designation fee (EUR 75,00) for each contracting state designated (Rule 107(1)(d) EPC).

d) If the time limit under Article 94(2) EPC expires before the 31-month time limit, file the written request for examination **and** pay the examination fee (EUR 1430,00 ; Rule 107(1)(f) EPC).

e) Pay the third-year renewal fee (EUR 380,00) if it falls due before expiry of the 31-month time limit (Rule 107(1)(g) EPC).

If the fees under (b) to (d) above are not paid in time, or the written request for examination is not filed in time, the international application is deemed withdrawn before the EPO, or the contracting-state designation(s) in question is (are) deemed withdrawn (Rule 108(1) and (2) EPC). However, the fees may still be validly paid within a two-month grace period as from notification of an EPO communication, provided the necessary surcharges are paid at the same time (Rule 108(3) EPC). For the renewal fee under (e) above, the grace period is **six** months from the fee's due date (Article 86(2) EPC).

5.2 If the application documents on which the European grant procedure is to be based comprise more then ten claims, a claims fee is payable within the 31-month time limit under Rule 107(1) EPC for the eleventh and each subsequent claim (Rule 110(1) EPC). The fee can however still be paid within a one-month grace period as from notification of an EPO communication pointing out the failure to pay (Rule 110(2) EPC).

6. If the applicant had a representative during the application's international phase, the present notes will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.

7. For more details about time limits and procedural acts before the EPO as designated and elected Office, see the EPO brochure

How to get a European patent
Guide for applicants - Part 2
PCT procedure before the EPO - "Euro-PCT"

This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are now all available on the Internet under

http://www.european-patent-office.org

RECEIVING SECTION